

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BLUEFIELD

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 1:23-00152

MATTHEW ALEXANDER WILSON

MEMORANDUM OPINION AND ORDER

Trial of this matter is currently scheduled to begin on June 11, 2024. The United States recently filed a motion to schedule a plea hearing and it is currently scheduled for July 10, 2024. Pending before the court is the motion of defendant Matthew Alexander Wilson for a continuance of the plea hearing. (ECF No. 31.) In support of defendant's motion, counsel for defendant explains that he is scheduled to be out of town on July 10, 2024. Obviously, in order to accommodate defendant, both the trial and the plea hearing will need to be continued. Accordingly, trial of this matter is CONTINUED to July 16, 2024. The plea hearing will be held at 11:30 a.m. on July 8, 2024, in Bluefield.

Because failure to grant the requested continuance would likely result in a miscarriage of justice, the court finds that the ends of justice outweigh the interest of the defendant and the public in a speedy trial, see 18 U.S.C. § 3161(h)(7)(A), and **GRANTS** defendant's motion to continue. In deciding to grant the defendant's motion, the court considered the factors outlined in

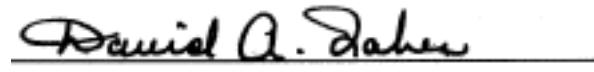
18 U.S.C. § 3161(h)(7)(B) and finds that denying the motion "would deny . . . the defendant continuity of counsel" Id. § 3161(h)(7)(B)(iv).

Pursuant to 18 U.S.C. § 3161(h)(7)(A), the time from the filing of the motion until the trial is excludable for purposes of the Speedy Trial Act.

The Clerk is directed to send a copy of this Memorandum Opinion and Order to all counsel of record, to the United States Marshal for the Southern District of West Virginia, and to the Probation Office of this court.

IT IS SO ORDERED this 7th day of June, 2024.

ENTER:



David A. Faber
Senior United States District Judge